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United Nations common system

Report of the Fifth Committee

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I. Introduction

1. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fifth session the item entitled "United Nations common system" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 10th and 27th meetings, on 26 October and 23 December 2010. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/65/SR.10 and 27).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the International Civil Service Commission for 2010;[1]

(b) Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly concerning the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2010 (A/65/493);

(c) Related report of the Advisory Committee on Administrative and Budgetary Questions.

II. Consideration of draft resolution A/C.5/65/L.16

4. At its 27th meeting, on 23 December, the Committee had before it a draft resolution entitled "United Nations common system: report of the International Civil

[1] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 30* (A/65/30).

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Service Commission" (A/C.5/65/L.16), submitted by the Chair of the Committee on the basis of informal consultations coordinated by the representative of Argentina.

5. At the same meeting, the Committee adopted draft resolution A/C.5/65/L.16 without a vote (see para. 7).

6. The recommendation of the Fifth Committee pursuant to the statement submitted by the Secretary-General and the related report of the Advisory Committee on Administrative and Budgetary Questions will be contained in the report of the Committee under agenda item 129, entitled "Programme budget for the biennium 2010-2011".

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III. Recommendation of the Fifth Committee

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations common system: report of the International Civil Service Commission

The General Assembly,

Recalling its resolutions 44/198 of 21 December 1989, 51/216 of 18 December 1996, 52/216 of 22 December 1997, 53/209 of 18 December 1998, 55/223 of 23 December 2000, 56/244 of 24 December 2001, 57/285 of 20 December 2002, 58/251 of 23 December 2003, 59/268 of 23 December 2004, 60/248 of 23 December 2005, 61/239 of 22 December 2006, 62/227 of 22 December 2007, 63/251 of 24 December 2008 and 64/231 of 22 December 2009,

Having considered the report of the International Civil Service Commission for the year 2010,[1]

Reaffirming its commitment to a single, unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the United Nations common system,

1. *Takes note with appreciation* of the work of the International Civil Service Commission;

2. *Takes note* of the report of the Commission for 2010;[1]

3. *Encourages* the Commission to continue to coordinate and regulate the conditions of service of staff of the organizations of the United Nations common system, bearing in mind the limitations imposed by Member States on their national civil services;

4. *Reaffirms* the role of the General Assembly in approving conditions of service and entitlements for all staff serving in the organizations of the United Nations common system, bearing in mind articles 10 and 11 of the statute of the Commission;[2]

5. *Recalls* articles 10 and 11 of the statute of the Commission and reaffirms the central role of the Commission in regulating and coordinating conditions of service and entitlements for all staff serving in the organizations of the United Nations common system;

A. Conditions of service applicable to both categories of staff

1. Education grant

1. *Approves*, with effect from the school year in progress on 1 January 2011, the recommendations of the Commission in paragraph 83 of its report[1] and annex III thereto;

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[1] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 30* (A/65/30).

[2] Resolution 3357 (XXIX), annex.

2. *Invites* the organizations of the common system to harmonize the education grant eligibility criteria with respect to the minimum age, the maximum age and the coverage of post-secondary education, as specified in paragraph 62 (a) of the report of the Commission;

2. Separation payments

1. *Endorses* the conclusions of the Commission in paragraph 101 of its report[1] and invites the governing bodies of the organizations of the United Nations common system to harmonize their termination indemnity schedules with that of the United Nations, as approved in General Assembly resolution 63/271 of 7 April 2009;

2. *Decides* to revert, at its seventy-first session, to the issue of the introduction of end-of-service severance pay in the organizations of the United Nations common system for fixed-term staff involuntarily separating upon the expiration of their contract after ten or more years of continuous service;

3. *Requests* the Commission to promulgate guidelines for the Organization to follow when it terminates a staff member based on the agreement of both sides;

B. Conditions of service of staff in the Professional and higher categories

1. Base/floor salary scale

Recalling its resolution 44/198 of 21 December 1989, by which it established a floor net salary level for staff in the Professional and higher categories by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service (the United States federal civil service),

1. *Approves*, with effect from 1 January 2011, as recommended by the Commission in paragraph 120 of its report,[1] the revised base/floor scale of gross and net salaries for staff in the Professional and higher categories as contained in annex VI to the report;

2. Evolution of the margin

Recalling section I.B of its resolution 51/216 and the standing mandate from the General Assembly, in which the Commission is requested to continue its review of the relationship between the net remuneration of the United Nations staff in the Professional and higher categories in New York and that of the comparator civil service (the United States federal civil service) employees in comparable positions in Washington, D.C. (referred to as "the margin"),

1. *Reaffirms* that the range of 110 to 120 for the margin between the net remuneration of officials in the Professional and higher categories of the United Nations in New York and officials in comparable positions in the comparator civil service should continue to apply, on the understanding that the margin would be maintained at a level around the desirable midpoint of 115 over a period of time;

2. *Notes* that the margin between net remuneration of the United Nations staff in grades P-1 to D-2 in New York and that of officials in comparable positions in the United States federal civil service in Washington, D.C., for the period from

1 January to 31 December 2010 is estimated at 113.3 and that the average margin level for the past five years (2006-2010) stands at 114.0;

3. Children's and secondary dependant's allowances

1. *Approves*, with effect from 1 January 2011, as recommended by the Commission in paragraph 162 of its report,[1] the revised children's and secondary dependant's allowances and the transitional measures relating thereto;

C. Conditions of service in the field

1. Harmonization of the conditions of service for staff serving in non-family duty stations in the common system

1. *Stresses* that the authority delegated by the Secretary-General to the executive heads of funds and programmes should be exercised in full compliance with General Assembly resolutions, the statute of the Commission[2] and the appropriate rules and regulations of the United Nations;

2. *Requests* the Secretary-General, subject to the provisions of the present resolution, to ensure cooperation and compliance by the executive heads of all organizations to which he has delegated authority on human resources matters, with the immediate implementation of the recommendations of the Commission concerning the harmonization of the conditions of service in non-family duty stations, as reflected in the report of the Commission,[1] and to report thereon to the Commission;

3. *Also requests* the Secretary-General, subject to the provisions of the present resolution, to exert his leadership as Chair of the United Nations System Chief Executives Board for Coordination to ensure the system-wide implementation of the recommendations of the Commission concerning the harmonization of the conditions of service in non-family duty stations, as reflected in the report of the Commission;

4. *Requests* the organizations of the United Nations common system to report annually to the Commission on the implementation of contractual arrangements and conditions of service for all of their staff serving in family and non-family duty stations;

5. *Requests* the Secretary-General, in his capacity as Chair of the Chief Executives Board for Coordination, to invite the executive heads of the agencies, funds and programmes participating in the United Nations common system to report to their respective governing bodies on the compliance of the organizations with the decisions of the General Assembly on the harmonization of the conditions of service;

6. *Approves* the recommendations of the Commission on the harmonization of the conditions of service of staff of the United Nations common system organizations in non-family duty stations, as contained in its annual report for 2010, subject to the provisions of the present resolution;

7. *Decides* that, six months after the adoption of the present resolution, all new staff who are assigned to non-family duty stations shall be under the non-family hardship element;

8. *Also decides* that the organizations of the United Nations common system shall cover only the travel costs of the rest and recuperation framework, until a further decision of the General Assembly on this issue is taken at its sixty-seventh session;

9. *Further decides* that the additional costs related to the above arrangements for the harmonization of the conditions of service, as related to the United Nations Secretariat, shall be absorbed by the Organization within existing resources, without impacting on the operational costs and without undermining the implementation of mandated programmes and activities, and requests the Secretary-General to report thereon in the context of the relevant performance reports;

10. *Requests* the Commission to submit recommendations to the General Assembly at its sixty-seventh session concerning the United Nations common system harmonized subsistence allowance or lump sum during rest and recuperation;

11. *Requests* the Secretary-General to identify offsets that can be used to implement the Commission proposals on a harmonized subsistence allowance or lump sum during the rest and recuperation break in a cost-neutral manner without impacting on operational costs and without undermining the implementation of mandated programmes and activities;

12. *Requests* the Commission, in its annual report, to report to the General Assembly on the implementation of its decisions and recommendations by the organizations of the United Nations common system;

13. *Recognizes* the importance of mobility as a means of developing a more versatile, multi-skilled and experienced international civil service that is capable of fulfilling complex mandates;

14. *Notes with concern* the high vacancy rates in the field and the negative effect that this has on the ability of the organizations of the common system to carry out their mandates;

15. *Requests* the Secretary-General to report on the criteria and process followed for designating family and non-family duty stations to the General Assembly at its sixty-seventh session, in the context of human resources management;

16. *Regrets* that the special operations approach has led to significant variations in the compensation package of staff of the organizations of the United Nations common system in non-family duty stations;

17. *Recalls* paragraph 42 of the report of the Advisory Committee on Administrative and Budgetary Questions on human resources management[1] and emphasizes the importance for the Secretary-General and the executive heads of the funds and programmes to work closely with the Commission in addressing and mitigating any unintended consequences of the harmonization proposal;

18. *Requests* the Commission, in the context of its annual report, to report to the General Assembly on the implementation of its decisions regarding the harmonization of the conditions of service in non-family duty stations during the transition period;

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[1] A/65/537.

19. *Decides* that the rest and recuperation framework should be regulated by the Commission;

20. *Requests* the Secretary-General to ensure that rest and recuperation entitlements are used by staff in a timely and effective manner;

21. *Requests* the Commission to keep the issue of the United Nations common system conditions of service in the field under review;

D. Other matters

1. *Notes* that the following measures, among others, could improve the selection process and conditions of service for executive heads in the organizations of the United Nations common system:

(a) Conducting hearings and/or meetings with candidates running for the post of executive head, in order to enhance the transparency and credibility of the selection process and make the process more inclusive of all nationalities;

(b) Ensuring that the hearings and/or meetings with the shortlisted candidates are conducted by members of the executive boards, advisory committees and/or other legislative bodies of the United Nations funds and programmes and/or other subsidiary organs and entities;

(c) Adopting provisions comprehensively addressing conflicts of interest pertaining to, and/or wrongdoing or misconduct allegedly committed by, executive heads, if such provisions have not yet been adopted.